

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

APR 28 2004

DAVID J. MALAND, CLERK  
BY  
DEPUTY

RETRACTABLE TECHNOLOGIES, INC. §  
and THOMAS J. SHAW, §

Plaintiffs, §

v. §

Civil Action No. 4:02 cv 034

NEW MEDICAL TECHNOLOGY, INC.; §  
NEW MEDICAL TECHNOLOGY, LTD.; §  
and NMT GROUP PLC §

"Jury" §

Defendants. §

Judge Leonard Davis

NEW MEDICAL TECHNOLOGY, INC. §  
and NMT GROUP PLC, §

Counterclaimants, §

v. §

RETRACTABLE TECHNOLOGIES, INC. §  
and THOMAS J. SHAW, §

Counterdefendants, §

STIPULATION AND CONSENT JUDGMENT

Plaintiffs, Retractable Technologies, Inc., and Thomas J. Shaw, and Defendants, NMT Group PLC, New Medical Technology, Inc., New Medical Technology, Ltd., have settled their dispute and pursuant to their settlement stipulate and jointly move the Court for entry of a Consent Judgment as follows:

Pursuant to stipulation of the parties, the Court, being fully advised in the premises and good cause appearing therefor, finds and orders as follows:

1. This court has jurisdiction over the subject matter of this action and personal jurisdiction over the parties.

2. Venue is proper in this judicial district.

3. Plaintiff Thomas J. Shaw, an individual, owns United States Patent Nos. 5,385,551; 5,578,011 and 6,090,077 (the "Asserted Patents"). The Asserted Patents are licensed to Retractable Technologies, Inc.

4. Defendant NMT Group PLC manufactured the NMT Safety Syringe which was imported and sold in the United States. Defendant New Medical Technology, Inc. imported and sold the NMT Safety Syringe in the United States. The packaging for the NMT Safety Syringe identified "New Medical Technology, Ltd." NMT Group PLC ceased manufacture of the NMT Safety Syringe and Defendants ceased importing, offering for sale and selling of the NMT Safety Syringe in the United States in 2003.

5. Defendants admit that the NMT Safety Syringe infringed the Asserted Patents.

6. Defendants admit that the Asserted Patents are valid and enforceable.

Defendants' affirmative defenses and counterclaims for Declaratory Judgment are hereby dismissed with prejudice.

7. Pursuant to 35 U.S.C. § 283, Defendants, their agents and servants, successors and assigns, and any and all parties acting in concert with any of them, are hereby enjoined from importing the NMT Safety Syringe into the United States, and from making, using, selling or offering to sell the NMT Safety Syringe within the United States, until the lapse or expiration of all the Asserted Patents, or until a court of competent jurisdiction declares the Asserted Patents invalid and all opportunities for appeal of any such declaration are exhausted.

8. The Court shall retain jurisdiction over the parties and the subject matter of this action to enforce the terms of this Stipulation and Consent Judgment and the associated Settlement Agreement and Release executed by the parties concurrently with this Stipulation and Consent Judgment.

9. Each party shall bear its own costs, expenses and attorneys' fees.

STIPULATED TO:

Date: April 27, 2004

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Date: April 27, 2004

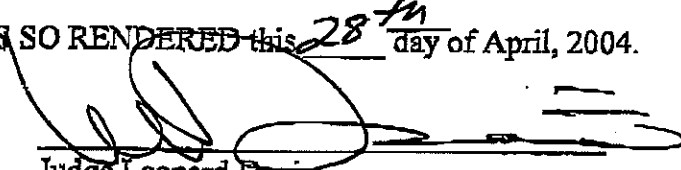
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Attorneys for Defendants

IT IS SO ORDERED and JUDGMENT IS SO RENDERED this 28<sup>th</sup> day of April, 2004.

  
Judge Leonard Davis  
U.S. District Court, E.D. Texas